

EXECUTIVE JOURNAL.

[TWENTY-NINTH SESSION.]

The proceedings of a Session specially called, on Saturday, March 4th, 1809.

The President of the United States to ———, Senator for the State of ———.

Certain matters, touching the public good, requiring that the Senate shall be convened on Saturday, the fourth day of March next, you are desired to attend at the Senate Chamber, in the City of Washington, on that day; then and there to receive and deliberate on such communications as shall be made to you.

TH: JEFFERSON.

WASHINGTON, *December 30th*, 1808.

In conformity with the summons from the President of the United States, the Senate assembled in the Chamber of the House of Representatives.

PRESENT:

The Honorable John Milledge, from the State of Georgia, President, pro tempore.

From the State of

New Hampshire,	-	-	{	The Hon. Nicholas Gilman, and Nahum Parker.
Massachusetts,	-	-		The Hon. Timothy Pickering.
Connecticut,	-	-		The Hon. Chauncey Goodrich.
Rhode Island,	-	-		The Hon. Elisha Mathewson.
Vermont,	-	-		The Hon. Stephen R. Bradley.
New York,	-	-		The Hon. John Smith.
New Jersey,	-	-		The Hon. Aaron Kitchel.
Pennsylvania,	-	-		The Hon. Andrew Gregg.
Delaware,	-	-		The Hon. James A. Bayard.
Maryland,	-	-		The Hon. Philip Reed.
Virginia,	-	-		The Hon. William B. Giles.
North Carolina,	-	-	{	The Hon. James Turner, and Jesse Franklin.
South Carolina,	-	-	{	The Hon. Thomas Sumpter, and John Gaillard.
Georgia,	-	-		The Hon. William H. Crawford.
Kentucky,	-	-	{	The Hon. Buckner Thruston. John Pope.
Tennessee,	-	-		The Hon. Daniel Smith.
Ohio,	-	-		The Hon. Edward Tiffin.

The Hon. John Lambert, appointed a Senator by the Legislature of the State of New Jersey, for six years, and the Hon. Samuel Smith, appointed a Senator by the Executive of the State of Maryland, attended, and their credentials were read.

The Honorable James Lloyd, Jun. appointed a Senator by the Legislature of the State of Massachusetts, attended, stating that he was elected, but not in possession of his credentials.

The Honorable Joseph Anderson, from the State of Tennessee; the Honorable Richard Brent, from the State of Virginia; the Honorable James Hillhouse, from the State of Connecticut; the Honorable Michael Leib, from the State of Pennsylvania; the Honorable Return J. Meigs, from the State of Ohio; the Honorable Jonathan Robinson, from the State of Vermont; the Honorable Samuel White, from the State of Delaware, severally attended.

The oath, required by law, was administered to the Senators above-mentioned, in the six years class, respectively, except to Mr. Brent.

The President of the United States attended, and communicated the following address:

“Gentlemen of the Senate, and of the House of Representatives:

“Unwilling to depart from examples of the most revered authority, I avail myself of the occasion now presented, to express the profound impression made on me, by the call of my country, to the station, to the duties of which I am about to pledge myself, by the most solemn of sanctions. So distinguished a mark of confidence, proceeding from the deliberate and tranquil suffrage of a free and virtuous nation, would, under any circumstances, have commanded my gratitude and devotion, as well as filled me with an awful sense of the trust to be assumed. Under the various circumstances which give peculiar solemnity to the existing period, I feel that both the honor and the responsibility allotted to me, are inexpressibly enhanced.

The present situation of the world is, indeed, without a parallel; and that of our country full of difficulties. The pressure of these two, is the more severely felt, because they have fallen upon us at a moment when national prosperity, being at a height not before attained, the contrast resulting from this change has been rendered the more striking. Under the benign influence of our republican institutions, and the maintenance of peace with all nations, whilst so many of them were engaged in bloody and wasteful wars, the fruits of a just policy were enjoyed in an unrivalled growth of our faculties and resources. Proofs of this were seen in the improvements of agriculture; in the successful enterprises of commerce; in the progress of manufactures and useful arts; in the increase of the public revenue, and the use made of it in reducing the public debt; and in the valuable works and establishments every where multiplying over the face of our land.

It is a precious reflection, that the transition from this prosperous condition of our country, to the scene which has for some time been distressing us, is not chargeable on any unwarrantable views, nor, as I trust, on any involuntary errors in the public councils. Indulging no passions which trespass on the rights or the repose of other nations, it has been the true glory of the United States to cultivate peace, by observing justice, and to entitle themselves to the respect of the nations at war, by fulfilling their neutral obligations, with the most scrupulous impartiality. If there be can-

dor in the world, the truth of these assertions will not be questioned. Posterity, at least, will do justice to them.

“This unexceptionable course could not avail against the injustice and violence of the belligerent powers. In their rage against each other, or impelled by more direct motives, principles of retaliation have been introduced, equally contrary to universal reason and acknowledged law. How long their arbitrary edicts will be continued, in spite of the demonstrations that not even a pretext for them has been given by the United States, and of the fair and liberal attempts to induce a revocation of them, cannot be anticipated. Assuring myself that, under every vicissitude, the determined spirit and united councils of the nation will be safeguards to its honor and its essential interests, I repair to the post assigned me, with no other discouragement than what springs from my own inadequacy to its high duties. If I do not sink under the weight of this deep conviction, it is because I find some support in a consciousness of the purposes, and a confidence in the principles which I bring with me into this arduous service.

“To cherish peace and friendly intercourse with all nations, having correspondent dispositions; to maintain sincere neutrality towards belligerent nations; to prefer, in all cases, amicable discussion and reasonable accommodation of differences, to a decision of them by an appeal to arms; to exclude foreign intrigues and foreign partialities, so degrading to all countries, and so baneful to free ones; to foster a spirit of independence; too just to invade the rights of others; too proud to surrender our own; too liberal to indulge unworthy prejudices ourselves; and too elevated not to look down upon them in others; to hold the union of the States as the basis of their peace and happiness; to support the constitution, which is the cement of the Union, as well in its limitations as in its authorities; to respect the rights and authorities reserved to the States and to the people, as equally incorporated with, and essential to the success of the general system; to avoid the slightest interference with the rights of conscience, or the functions of religion, so wisely exempted from civil jurisdiction; to preserve, to their full energy, the other salutary provisions in behalf of private and personal rights, and of the freedom of the press; to observe economy in public expenditures; to liberate the public resources by an honorable discharge of the public debts; to keep within the requisite limits a standing military force, always remembering, that an armed and trained militia is the firmest bulwark of republics; that without standing armies their liberty can never be in danger, nor, with large ones, safe; to promote, by authorized means, improvements friendly to agriculture, to manufactures, and to external as well as internal commerce; to favor, in like manner, the advancement of science and the diffusion of information, as the best aliment to true liberty; to carry on the benevolent plans which have been so meritoriously applied to the conversion of our aboriginal neighbors, from the degradation and wretchedness of savage life, to a participation of the improvements of which the human mind and manners are susceptible in a civilized state: As far as sentiments and intentions such as these, can aid the fulfilment of my duty, they will be a resource which cannot fail me.

“It is my good fortune, moreover, to have the path in which I am to tread, lighted by examples of illustrious services, successfully rendered in the most trying difficulties, by those who have marched before me. Of those of my immediate predecessor, it might least become me here to speak—I may,

however, be pardoned for not suppressing the sympathy, with which my heart is full, in the rich reward he enjoys in the benedictions of a beloved country, gratefully bestowed for exalted talents, zealously devoted, through a long career, to the advancement of its highest interest and happiness. But the source to which I look for the aids, which alone can supply my deficiencies, is in the well tried intelligence and virtue of my fellow-citizens, and in the councils of those representing them in the other departments associated in the care of the national interests. In these my confidence will, under every difficulty, be best placed; next to that which we have all been encouraged to feel in the guardianship and guidance of that Almighty Being, whose power regulates the destiny of nations, whose blessings have been so conspicuously dispensed to this rising Republic, and to whom we are bound to address our devout gratitude for the past, as well as our fervent supplications and best hopes for the future."

After which the oath prescribed by law was administered to the President of the United States, by the Chief Justice.

The President of the United States then retired, and the Senate repaired to their own Chamber.

On motion,

Ordered, That Mr. Anderson and Mr. Bayard be a committee to wait on the President of the United States, and notify him that the Senate are ready to receive any communications that he may be pleased to make to them.

On motion, the Senate adjourned to 11 o'clock, on Monday morning.

MONDAY, MARCH 6, 1809.

The Honorable Francis Malbone, appointed a Senator by the Legislature of the State of Rhode Island, for six years, commencing on the fourth instant, attended and produced his credentials; which were read.

The credentials of the Honorable Richard Brent, appointed a Senator by the Legislature of the State of Virginia, for six years, commencing the fourth instant, were read.

The oath required by law was administered to Mr. Brent and Mr. Malbone, respectively.

On motion by Mr. Anderson,

Resolved, That the Secretary of the Senate be authorized to pay out of the contingent funds of this House, to George Thomas, Walter Reynolds, and Tobias Simpson, the sum of fifty dollars each, in addition to their usual compensation.

Mr. Anderson reported from the committee, that they had waited on the President of the United States, who informed them that he should, this day, make a communication to the Senate.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate Robert Smith, now Secretary of the Navy, to be Secretary of State.

William Eustis, of Massachusetts, to be Secretary of War.

John Quincy Adams, of Massachusetts, to be Minister Plenipotentiary to the Court of St. Petersburg.

Thomas Sumpter, Jun. of South Carolina, to be Minister Plenipotentiary to the Court of Rio Janeiro.

Henry Hill, of New York, to be Consul at St. Salvador, in Brazil.

David Holmes, of Virginia, to be Governor of the Mississippi Territory.

John Boyle, of Kentucky, to be Governor of the Illinois Territory.

Nathaniel Pope, of Louisiana Territory, to be Secretary of the Illinois Territory.

Francis Xavier Martin, of North Carolina, to fill the vacancy produced by the resignation of Bryan Bruin, a Judge of the Mississippi Territory.

Obadiah Jones, of Georgia, Jesse B. Thomas, of the Illinois Territory, and Alexander Stuart, of Virginia, to be Judges of the Illinois Territory.

Thomas Nelson, Collector and Inspector of the port of York, in Virginia, to be Commissioner of Loans for the State of Virginia.

JAMES MADISON.

March 6th, 1809.

The message was read.

On motion, the rule was dispensed with, by unanimous consent.

Resolved, unanimously, That the Senate advise and consent to the appointment of Robert Smith, to be Secretary of State, agreeably to the nomination.

On motion,

Ordered, That the Secretary lay this resolution before the President of the United States.

On motion, the Senate adjourned to 11 o'clock, to-morrow morning.

TUESDAY, MARCH 7, 1809.

The President laid before the Senate a communication from Governor Huntingdon, enclosing a resolution, passed by the General Assembly of the State of Ohio, approving the measures of the general government; which was read.

The Senate resumed the consideration of the message of the President of the United States, of March 6th.

On motion by Mr. Lloyd, that it be

Resolved, That, in the opinion of the Senate, it is inexpedient at this time to appoint a Minister from the United States to the Court of Russia;

It was determined in the affirmative: Yeas, 17; Nays, 15.

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Anderson, Bayard, Crawford, Gilman, Goodrich, Gregg, Hillhouse, Leib, Lloyd, Malbone, Pickering, Pope, Read, Sumpter, Thruston, Turner, and White.

Those who voted in the negative, are—Messrs. Bradley, Brent, Franklin, Gaillard, Giles, Kitchel, Lambert, Mathewson, Meigs, Milledge, Parker, Robinson, Smith, of Maryland, Smith, of New York, and Smith, of Tennessee.

On the question, to advise and consent to the appointment of Thomas Sumpter, Jun. to be Minister Plenipotentiary to the Court of Rio Janeiro.

It was determined in the affirmative: Yeas, 27; Nays, 3.

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Anderson, Bayard, Brent, Franklin, Gaillard, Giles, Gilman, Goodrich, Gregg, Hillhouse, Kitchel, Lambert, Leib, Lloyd, Malbone, Mathewson, Meigs, Milledge, Parker, Pickering, Pope, Robinson, Smith, of Maryland, Smith, of New York, Smith, of Tennessee, Thruston, and White.

Those who voted in the negative, are—Messrs. Reed, Sumpter, and Turner.

The other appointments being agreed to,

Resolved, That the Senate do advise and consent to the appointments, contained in the message of the President of the United States, of March 6th, agreeably to the nominations respectively, except to that of J. Q. Adams, Minister to the Court of Russia.

Ordered, That the Secretary make return to the President of the United States, accordingly.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate Paul Hamilton, of South Carolina, to be Secretary of the Navy.

Samuel Storer, of Portland, Maine, Henry S. Langdon, of Portsmouth, New-Hampshire, Francis Jonnet, of Boston, Joseph Hull, of Middletown, Connecticut, John Bullus, of New York, George Harrison, of Philadelphia, John Stricker, of Baltimore, Theodorick Armistead, of Norfolk, Nathaniel Ingraham and Son, of Charleston, South Carolina, James Morrison, of Lexington, Kentucky, Keith Spence, of New Orleans, Archibald S. Bullock, of Savannah, Georgia, to be Navy Agents, at their respective places of residence.

Daniel Carmick, now a Captain of Marines, to be a Major of Marines.

James Thompson, Edward Hall, and Michael Reynolds, now 1st Lieutenants of Marines, to be Captains of Marines.

Samuel Miller, now a 2d Lieutenant of Marines, to be a 1st Lieutenant of Marines.

Jasper Hand, of Pennsylvania, to be a Surgeon in the Navy of the United States.

Samuel Blair, and Samuel Horsley, of Virginia, to be Surgeon's Mates in the Navy of the United States.

JAMES MADISON.

March 7th, 1809.

The message was read.

On motion,

The rule was dispensed with, and the appointments were all agreed to; except those of Samuel Blair, and Samuel Horseley, Surgeon's Mates, referred to Mr. Bayard and Mr. Reed, to inquire and report thereon.

Mr. Bayard, from the committee last mentioned, made report. Whereupon,

Resolved, That the Senate do advise and consent to the appointments, contained in the message of the President of the United States, of this day, agreeably to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

On motion,

Ordered, That Mr. Bayard and Mr. Reed be a committee to wait upon the President of the United States, and notify him that, unless he may have any further communications to make to them, the Senate are ready to adjourn.

Mr. Bayard reported, from the committee, that they had waited upon the President of the United States, who informed them that he had no further communications to make to them. Whereupon,

The Senate adjourned, without day.

END OF THE TWENTY-NINTH SESSION.